

REMARKS

Claims 1, 4-8, and 11-18 are all the claims pending in the application. By this Amendment, Applicants cancel claims 2-3 and 9-10 without prejudice or disclaimer.

Claim Rejections – 35 U.S.C. § 112

Claims 1-18 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement.

Claims 1-18 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

Claims 1-18 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

In particular, the Examiner contends that the Applicants' specification does not indicate or suggest any means or written description for "dividing potential distributed data" as set forth in claims 1, 8, 17, and 18 (Office Action, pages 3-4, emphasis in original). The Examiner further contends that the recitation of "potential" in the claim is indefinite. Applicants respectfully disagree with the Examiner's position, however, Applicants have amended the claims to put them in immediate condition for allowance.

For example, Applicants submit that since claims 2-3 and 9-10 are canceled, the rejections thereto are rendered moot.

Further, Applicants have amended claims 1, 8, 17, and 18 as suggested by the Examiner. As such, Applicants respectfully submit that claims 1, 4-8, and 11-18 comply with the requirements of 35 U.S.C. § 112.

Claim Rejections – 35 U.S.C. § 103

Claims 1-18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over EP 0 943 895 to Ashby *et al.* (“Ashby”), U.S. Patent No. 6,473,790 to Tagi (“Tagi”), and U.S. Patent No. 6,421,610 to Carroll *et al.* (“Carroll”). For *at least* the following reasons, Applicants respectfully traverse the rejection.

For example, claim 1 relates to a data distribution system comprising, *inter alia*, a data distribution server for conducting data distribution service. The data distribution server comprises a plurality of data files and data distribution means. Each of the data files is classified by type and function. The data distribution means responds to a formation condition set at a terminal to receive data distribution from said data distribution server and selects data files fitted for the formation condition from among the plurality of data files. Identification codes by function are assigned to the plurality of data files and any desired identification code is specified at the terminal, whereby the formation condition of the distributed data is set.

The Examiner alleges that Ashby, in paragraph [0056], discloses that a desired identification code is specified at the terminal as required by claim 1. Applicants respectfully submit that Ashby does not disclose this feature in as complete detail as set forth in the claim.

For instance, Ashby discloses that separate subsets of the entire geographic database for a given geographic region are provided for each of the different types of navigation functions to be provided in the navigation application program (*See* Ashby: paragraph [0054]). The separate subsets of the geographic data take into account that usage of each of the navigation functions relates to other navigating functions in expected ways. Specifically, in paragraph [0056], Ashby states:

“For example, an end-user may first want to view a present position, then enter a destination, then receive instructions how to start toward the destination, then

observe a map showing the initial portion of the route, then receive further instructions, then have a map displayed of the next portion of the route, and so on” (emphasis added).

Therefore, Ashby, at most discloses that the end-user may indicate that they wish to view a present position, enter a destination, and receive instructions to arrive at the destination.

However, Ashby does not disclose or suggest that **identification codes by function are assigned to the navigation functions**, much less disclosing that any desired identification code is specified by the end-user, whereby a formation condition of the navigation functions desired by the user is set. As such, Applicants respectfully submit that claim 1 is patentable over the combination of Ashby, Tagi, and Carroll.

Since claims 2-3 have been canceled, the rejection thereto is rendered moot.

Claims 4-7, 13, and 15 depend from claim 1. Therefore, Applicants submit that they are patentable at least by virtue of their dependency.

Since claim 8 contains features that are analogous to the features recited in claim 1, Applicants submit that claim 8 is patentable for analogous reasons.

Since claims 9-10 have been canceled, the rejection thereto is rendered moot.

Claims 11-12, 14, and 16 depend from claim 8. Therefore, Applicants submit that they are patentable at least by virtue of their dependency.

Claims 17 recites that identification codes by function are assigned to the plurality of the data files and any desired identification code is specified in the user request, whereby the formation condition of the distributed data is set. Therefore, claim 17 is patentable for *at least* reasons similar to those given above with respect to claim 1.

Claims 18 recites that identification codes by function are assigned to the plurality of the data files and an identification code is specified in the request to set the formation condition of

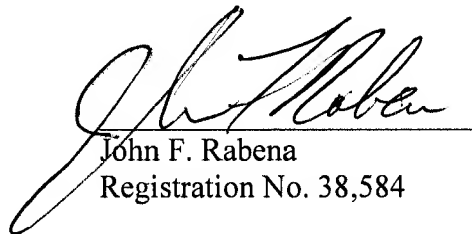
the distributed data. Therefore, claim 18 is patentable for *at least* reasons similar to those given above with respect to claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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